

House Bill 1357

By: Representatives Hembree of the 67th, Maxwell of the 17th, Loudermilk of the 14th, Forster of the 3rd, Mumford of the 95th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 7 of Title 33 of the Official Code of Georgia Annotated, relating to kinds
2 of insurance, so as to include contracts, agreements, and instruments for the removal of dents,
3 dings, or creases in a motor vehicle without affecting the existing paint finish using paintless
4 dent repair techniques and the removal of small windshield chips and cracks without
5 replacement of the entire windshield within the definition of property insurance in a manner
6 similar to vehicle service agreements or extended warranty agreements; to provide for related
7 matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 SECTION 1.

10 Chapter 7 of Title 33 of the Official Code of Georgia Annotated, relating to kinds of
11 insurance, is amended by revising paragraph (1) of subsection (b) of Code Section 33-7-6,
12 relating to property insurance, as follows:

13 "(1) Any contract, agreement, or instrument whereby a person assumes the risk of and
14 the expense or portion thereof for the mechanical breakdown or mechanical failure of a
15 motor vehicle, or for the removal of dents, dings, or creases in a motor vehicle without
16 affecting the existing paint finish using paintless dent repair techniques or the removal
17 of small windshield chips and cracks without replacement of the entire windshield, and
18 shall include those agreements commonly known as vehicle service agreements or
19 extended warranty agreements, if made by a person other than the motor vehicle
20 manufacturer in exchange for a separately stated charge or the cost of the contract or
21 contracts is included on a nonidentifiable basis in the cost of a motor vehicle sold in
22 conjunction therewith, except that this provision shall not apply to an agreement
23 underwritten by an insurer licensed to transact insurance in this state, either directly or
24 through a reinsurance contract or, without regard to the requirement that the insurance
25 cannot be obtained from an insurer authorized to do business in this state as required by

1 Code Section 33-5-21, to an agreement underwritten by a surplus lines insurer which has
2 not been rejected by the Commissioner for such purpose;".

3 **SECTION 2.**

4 All laws and parts of laws in conflict with this Act are repealed.